

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

PETER LORA, et al

1:07 CV 2787

V.

JUDGE DAN AARON POLSTER

DEAN BOLAND

DEFENDANT'S NOTICE OF
CONSTITUTIONAL QUESTION

In compliance with this court's order (R. 95) Defendant files the attached
Notice of Constitutional Question in accord with FRCP 5.1(a)(1)(A)(2).

/s/ Dean Boland
Dean Boland 0065693
18123 Sloane Avenue
Lakewood, Ohio 44107
216-236-8080 ph
866-455-1267 fax
dean@deanboland.com

NOTICE

In accord with Federal Rule of Civil Procedure 5.1(a)(1)(A)(2), Defendant notifies the United States of America that the following constitutional questions have arisen in this matter relating to one or more federal statutes. The questions raised are as follows:

1. Does the application of the federal child pornography possession statutes' criminal or civil provisions to a state or federal defense trial witness who engaged in conduct as outlined in the complaint in this matter violate the Sixth Amendment?
2. Does the definition of child pornography contained in 18 U.S.C. 2256(8)(C), violate the First Amendment?

These questions have been raised in the following papers in this case:

R. 5, 31, 77.

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Lakewood, Ohio 44107
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dean@deanboland.com

Proof of Service

A copy of the foregoing will be served May 23, 2011 by operation of the court's electronic filing system and by regular mail to the United States Attorneys Office for the Northern District of Ohio.

Office of the United States Attorney
United States Court House
801 West Superior Avenue; Suite 400
Cleveland, Ohio 44113-1852

/s/Dean Boland
Dean Boland 65693